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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 18350 of 2004

Between:

P.Narayana, s/o Poshetty,
r/o 2-5-100, Ashoknagar, Armoor, Nizamabad District.

..... PETITIONER

AND

- 1 The Joint Collector, Nizamabad.
- 2 The Mandal Revenue Officer, Armoor, Nizamabad District.
- 3 Pola Gangajamuna, D/o Vishwanatham,
r/o 2-26, Big Bazaar, Armoor, Nizamabad District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of Certiorari call for the records relating to the order passed by the first respondent vide Case No. D2/18/2003, dt. 28-5-2004 and QUASH the same by duly declaring the order passed by the first respondent against the petitioner and others in exercise of powers conferred on him under Sec. 9 of A.P. Rights in Land and Pattadar Pass Books Act, 1971 setting aside the mutation proceedings issued by the 2nd respondent in favour of the petitioner and others in respect of the land in Sy.No. 407 admeasuring Ac. 2.00 (petitioner herein is concerned with Ac. 1.00 of land) situated at Armoor vg and Mandal, Nizamabad District as illegal,arbitrary, without jurisdiction, violative of principles of natural justice and also contrary to the procedure contemplated under the provisions of A.P. Rights in Land and Pattadar Pass Books Act, 1971 and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.N.SRIDHAR REDDY

Counsel for the Respondents 1&2: GP FOR REVENUE

Counsel for Respondent No.3: Mr.J.Kanakaiah

The Court made the following :

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ORDER:

Learned counsel for both sides submit that the prayer in this writ petition is covered by the order dated 29.10.2004 in W.P.No.18278 of 2003, and so, this writ petition may be disposed of in terms of the said order.

2. Therefore, the writ petition is disposed of with a direction to the Mandal Revenue Officer to decide the mutation afresh in respect of the land in dispute in accordance with law, after hearing the parties concerned. Till the matter is heard and decided by the Mandal Revenue Officer, none of the parties shall create any third party interest

or transfer or alienate the land. There shall be no order as to costs.

C.Y.SOMAYAJULU, J

Dated: 03.03.2005

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- 1 The Joint Collector, Nizamabad.
- 2 The Mandal Revenue Officer, Armoor, Nizamabad District.
- 3 2 CCs to G.P for Revenue, High Court Bldgs, Hyd. (OUT)
- 4) 1 CC to MR.KANAKAIAH
- 5) 2 CD copies.